

1 JAMES D. PERKINS, WSBA #12996
2 Attorney for the United States Trustee
3 United States Dept. of Justice
4 920 West Riverside, Room 593
5 Spokane, WA 99201
6 Telephone (509) 353-2999
7 Fax (509) 353-3124

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10 **UNITED STATES BANKRUPTCY COURT**
11 **EASTERN DISTRICT OF WASHINGTON**

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13 In re:

14 Giga Watt Inc.

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16 Debtor

17 Case No. 18-03197-FPC11

18 **UNITED STATES TRUSTEE'S**
19 **MOTION TO CONVERT**

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21 The United States Trustee moves the court for an order converting it to a case
22 under Chapter 7. The United States Trustee does so pursuant to §1112(b) of the
23 Bankruptcy Code for the following reason(s):

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25 1. The Trustee has now discontinued the Debtor's operations and sold its
26 operating assets. It appears that the only assets remaining to be
27 administered are a condominium the Trustee obtained in a settlement with
28 one of the Debtor's principals (which is currently listed for sale) and a
number of potential legal claims.

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30 2. This case is over 18 months old yet no proposed plan has ever been filed.
31 The Unsecured Creditors Committee did file a proposed Disclosure
32 Statement (but no plan) in December of 2019, but it has not taken any
33 steps since then to move that proposal forward.

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35 There is no current indication that any party will propose a confirmable plan of
36 reorganization in this case. Meanwhile, the Debtor is continuing to incur substantial

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1 administrative costs resulting in the diminution of the estate. Because there is no
2 confirmable plan of reorganization in prospect, there is no reason for this case to
3 remain in Chapter 11 and it should be converted to Chapter 7.

4 The United States Trustee further requests that if conversion to Chapter 7 is
5 ordered, that the order to convert contain the following language:

6 It is further ordered that the debtor pay to the United States Trustee
7 all fees payable under 28 U.S.C. § 1930(a)(6).

8 For all of the foregoing reasons, the United States Trustee asks the Court to enter an
9 order converting it to one under Chapter 7 of the Bankruptcy Code.

10 Dated: August 3, 2020
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12 Respectfully submitted,

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14 GREGORY M. GARVIN
15 Acting United States Trustee

16 /s/ James D. Perkins
17 JAMES D. PERKINS
18 Attorney for the United States Trustee

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